

Exhibit 5

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION and
THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a/ SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited
liability company; and

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN,
INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

DEFENDANTS' LIST OF WITNESSES AND TRIAL REFERENCES

Pursuant to Section 4.B.2 of this Court's Individual Practices and the Orders of this Court dated November 23, 2021 and August 2, 2022, Defendants Quincy Bioscience Holding Company, Inc., Quincy Bioscience, LLC, Prevagen, Inc. d/b/a Sugar River Supplements, Quincy Bioscience Manufacturing, LLC, and Mark Underwood hereby submit their list of individuals or companies that may appear as witnesses or otherwise be referred to during the trial of this Action.

Individuals

1. Dominik D. Alexander, PhD, MSPH
2. Teri Barr
3. Michael Beaman
4. Howard Beales, III, PhD
5. Jeremy Berg, PhD
6. Geoffrey (Jeff) Castello, Esq.
7. Juan Collins
8. Michael (Mike) de Leeuw, Esq.
9. William (Will) Ducklow
10. Tom Dvorak
11. John Fowler
12. Taylor Gabourie
13. Edward Glennon
14. Richard E. Goodman, PhD
15. David Gortler, Pharm. D
16. Glenn Graham, Esq.
17. Caitlin Hickey, Esq.
18. David Katz, MD, MPH
19. Joseph M. Kaye, Esq.
20. Mindy S. Kurzer, PhD
21. Kenneth (KC) Lerner
22. Peter Malaspina, PhD
23. Kate Matuschak, Esq.
24. Norton Milgram, PhD
25. James Moyer, Jr., PhD
26. Dakota Miller
27. Jaclyn Metzinger, Esq.
28. Daniel Moran, PhD
29. Daniel Moran
30. Adam M. Moskowitz, Esq.
31. Todd Olson
32. John (Jack) Scarola, Esq.
33. Michelle Rusk, Esq.
34. Mary Sano, PhD
35. David H. Schwartz, PhD
36. Peggy Sivesind
37. Annette Soberats, Esq.
38. Mark Underwood
39. John Villafranco, Esq.
40. Lee-Jen Wei, PhD
41. Tamar Wise, Esq.
42. Janet Wittes, PhD
43. Andrew Wone, Esq

Entities

1. Amin Talati Wasserman
2. Amin Talati & Upadhye
3. CogState
4. Cozen O'Connor
5. Federal Trade Commission (FTC)
6. Food and Drug Administration (FDA)
7. Kelley Drye & Warren LLP
8. Office of the Attorney General of the State of New York
9. Prevagen, Inc. d/b/a Sugar River Supplements
10. Quincy Animal Health LLC
11. Quincy Bioscience Holding Company, Inc.
12. Quincy Bioscience, LLC
13. Quincy Bioscience Manufacturing, LLC
14. Searcy Denney Scarola, Barnhart & Shipley
15. The Moskowitz Law Firm
16. University of Wisconsin

Dated: November 17, 2022

KELLEY DRYE & WARREN LLP

By: /s/ Geoffrey W. Castello

John E. Villafranco (admitted *pro hac vice*)

Geoffrey W. Castello

Jaclyn M. Metzinger

Glenn T. Graham

3 World Trade Center

175 Greenwich Street

New York, NY 10007

Tel: (212) 808-7800

Fax: (212) 808-7897

jvillafranco@kelleydrye.com

gcastello@kelleydrye.com

jmetzinger@kelleydrye.com

ggraham@kelleydrye.com

*Counsel for Defendants Quincy Bioscience
Holding Company, Inc., Quincy Bioscience,
LLC, Prevagen, Inc. d/b/a Sugar River
Supplements, and Quincy Bioscience
Manufacturing, LLC*

COZEN O'CONNOR P.C.

By: /s/ Michael de Leeuw

Michael de Leeuw

Tamar S. Wise

3 World Trade Center

175 Greenwich Street

New York, New York 10007

Tel: (212) 908-1331

mdeleeuw@cozen.com

twise@cozen.com

Counsel for Defendant Mark Underwood